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DOCKET NO. 36642

**APPLICATION OF CGKC&H #2 RURAL §
LIMITED PARTNERSHIP D/B/A WEST §
CENTRAL WIRELESS AND D/B/A RIGHT §
WIRELESS TO AMEND ITS §
DESIGNATION AS AN ELIGIBLE §
TELECOMMUNICATIONS CARRIER §
PURSUANT TO P.U.C. SUBST. R. 26.418 §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

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**ORDER NO. 3
NOTICE OF APPROVAL OF AMENDMENT TO DESIGNATION AS
AN ELIGIBLE TELECOMMUNICATIONS CARRIER**

Procedural History

On January 26, 2009, CGKC&H #2 Rural Limited Partnership d/b/a West Central Wireless and d/b/a Right Wireless (CGKC&H #2 or the Company) filed an application to amend its designation as an eligible telecommunications carrier (ETC), pursuant to P.U.C. SUBST. R. 26.418 to include five additional wire centers as shown in Attachment D to its application. CGKC&H #2 has ETC designation throughout the non-rural telephone company wire centers of Verizon Southwest.

CGKC&H #2 is a facilities-based provider of Commercial Mobile Radio Service (CMRS) as licensed by the Federal Communications Commission, and currently provides CMRS within its licensed service territory in Texas, which encompasses the entire geographic area of the Texas counties of Concho, Mason, McCulloch, Menard, and San Saba.¹ CGKC&H #2 provides traditional cellular services under the name West Central Wireless. The Company also provides pre-paid cellular services throughout the same service area using the same facilities under the name Right Wireless.

¹ The Company does not seek ETC designation in any wire centers located within San Saba County through this application, but does provide service in San Saba.

Designation as Eligible Telecommunications Carrier

To qualify for ETC status, a carrier must meet the following criteria:²

1. The company must be a common carrier, as that term is defined by the Federal Telecommunications Act of 1996 (FTA), Section 3(10). CGKC&H #2 is a common carrier as defined by the Federal Telecommunications Act, Section 3(10).
2. The carrier must offer the following services³ using its own facilities or a combination of its own facilities and the resale of another carrier's services:⁴
 - (a) voice grade access to the public switched network;
 - (b) local usage;
 - (c) dual tone multi frequency signaling or its functional equivalent;
 - (d) single party service or its equivalent;
 - (e) access to 911 or enhanced 911;
 - (f) access to operator services;
 - (g) access to interexchange service;
 - (h) access to directory assistance; and
 - (i) toll limitation for qualifying low income customers.
3. The carrier must advertise the availability of the above services and charges for the services in a media of general distribution.⁵
4. Public Interest Analysis – Pursuant to 47 C.F.R. 54.201(c), prior to designating an additional eligible telecommunications carrier for an area served by a rural telephone company, the state commission shall find that the designation is in the public interest.

In prior ETC proceeding, the Commission found that a CMRS provider must take certain additional steps to provide service in any portion of its designated service area where signal coverage is unsatisfactory. CGKC&H #2 has committed to following these steps in order to provide service to all requesting customers in its service area.

Lastly, CGKC&H #2 has committed continued compliance with any and all future applicable Commission rules related to ETC designees.

² 47 C.F.R. § 54.201(b)-(d).

³ 47 C.F.R. § 54.101.

⁴ 47 C.F.R. § 54.201.

⁵ 47 C.F.R. § 54.201.

Ordering Paragraphs

Staff's analysis of the application concludes that CGKC&H #2 meets all of the requirements established by the FCC and P.U.C. SUBST. R. 26.418 for an amendment to its designation as an ETC.

Based on Staff's recommendation and pursuant to P.U.C. SUBST. R. 26.418, CGKC&H #2's application for an amendment to its ETC designation is approved.

SIGNED AT AUSTIN, TEXAS the 16th day of March 2009.

PUBLIC UTILITY COMMISSION OF TEXAS



ANDREW KANG
ADMINISTRATIVE LAW JUDGE

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